

REMARKS

Claims 1-10 were rejected. Claims 1-10 are now in this application.

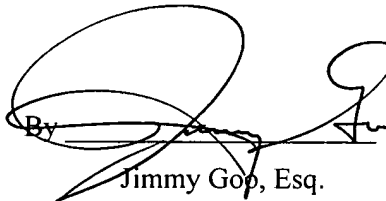
Claim 1-9 were rejected under 35 U.S.C. §102(e) as being unpatentable over Sonetaka (US 6,591,107). Specifically, the office action alleges that Sonetaka teaches “prospectively assigning currently unavailable supplemental channel resources...if the data notify request was received during an open assignment state during which the currently unavailable supplemental channel resources are available for prospective assignment.” Applicant respectfully disagrees. Sonetaka teaches reserving a number of channels in advance and then assigning the reserved channels to high priority traffic only when there are no other unassigned channel. See col. 1, lines 54-63 and col. 7, line 66 to col. 8, line 2. That is, Sonetaka teaches reserving channels to be used only for high priority traffic when there are no other channels available. The reserved channels are currently available for high priority traffic and, thus, may be immediately, not prospectively, assigned for high priority traffic. The reserved channels are not available for any other traffic and, thus, cannot be assigned to any other traffic. By contrast, claim 1 involves prospectively assigning supplemental channel resources which are currently unavailable for any type of traffic. That is, the currently unavailable supplemental channel resources cannot be immediately assigned. The currently unavailable supplemental channel resources may only be prospectively assigned, i.e., scheduled for future assignment. Furthermore, the currently unavailable supplemental channel resources may only be assigned if certain conditions are met, i.e., when a data notify request was received during an open assignment state. Sonetaka does not teach such a limitation. Accordingly, it is felt that claims 1-9 are patentable under 35 U.S.C. §102(e) over Sonetaka.

Claim 10 was rejected under 35 U.S.C. §103(a) as being unpatentable over Sonetaka in view of Vanderspoo, II et al (US 5,261,118). Applicant respectfully traverses for the reason discussed above. Accordingly, it is felt that claim 10 is patentable under 35 U.S.C. §103(a) over Sonetaka in view of Vanderspoo, II et al.

Based upon the foregoing reasons, applicants submit that this application is in condition for allowance. Favorable action is respectfully requested.

Respectfully,

Dan Anthony Balogh
John K Burgess
Roger T Kiang
Stan Vitebsky

By 
Jimmy Gop, Esq.
Reg. No. 36,528
(973) 386-6377

Attachments

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Docket Administrator (Room 3J-219)
Lucent Technologies Inc.
101 Crawfords Corner Road
Holmdel, NJ 07733-3030